

Slade R. Metcalf (SM 8360)  
Katherine M. Bolger (KM 6206)  
Jason P. Conti (JC 0581)  
Hogan & Hartson LLP  
875 Third Avenue  
New York, NY 10022  
Telephone: (212) 918-3000  
Facsimile: (212) 918-3100

*Attorneys for Defendant Twentieth Century Fox  
Film Corporation*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                   |   |                                |
|-----------------------------------|---|--------------------------------|
| -----X                            | : |                                |
| JEFFREY LEMEROND,                 | : |                                |
|                                   | : |                                |
| Plaintiff,                        | : | Case No.: 07 CIV 4635 (LAP)    |
|                                   | : |                                |
| – against –                       | : |                                |
|                                   | : | <b><u>NOTICE OF MOTION</u></b> |
| TWENTIETH CENTURY FOX FILM CORP., | : |                                |
|                                   | : |                                |
| Defendant.                        | : |                                |
| -----X                            | : |                                |

**PLEASE TAKE NOTICE**, that upon the annexed declarations of Bonnie I. Bogin, sworn to the 19th day of July, 2007, and Slade R. Metcalf, sworn to the 23rd day of July, 2007, and the exhibits annexed thereto, and upon all prior papers and proceedings heretofore had herein, the undersigned will move this Court, before the Honorable Loretta A. Preska, United States District Judge, United States District Court, Southern District of New York, at the United States Courthouse, Courtroom 12A, 500 Pearl Street, New York, New York 10007, at date and time as shall be set by the Court, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the amended complaint of plaintiff Jeffrey Lemerond (“Plaintiff”) as against defendant Twentieth Century Fox Film Corporation in its entirety, and granting such other and further relief as this Court may deem just and proper. Oral argument, if any, will be on a date and at a time to be designated by the Court.

**PLEASE TAKE FURTHER NOTICE** that, opposition papers, if any, shall be served by Plaintiff upon the undersigned in accordance with the briefing schedule so ordered by this Court on July 18, 2007.

Dated: July 23, 2007

Respectfully submitted,

HOGAN & HARTSON LLP

By: s/ Slade R. Metcalf

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New York, New York 10022

Tel. (212) 918-3000

Fac. (212) 918-3100

*Attorneys for Defendant Twentieth Century*

*Fox Film Corporation*

TO: Richard D. Emery, Esq.  
Eric Hecker, Esq.  
Elizabeth Sykes Saylor, Jr., Esq.  
EMERY CELLI BRINCKERHOFF  
& ABADY LLP  
75 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, New York 10019  
*Attorneys for Plaintiff*